Hatch Act soft file

except in case of a declared national emergency, and,

Whereas this Chamber of Commerce is committed and dedicated to sound, fiscal budgeting by all governmental agencies,

Be it therefore resolved that this Board direct the Governmental Affairs Committee of this Chamber of Commerce to gather petitions, write letters to all Chambers of Commerce and other business and civic groups who might support this action and relay its findings to the President of the United States, to all members of Congress and to the President of the Chamber of Commerce of the United States urging adoption and ratification at the earliest possible moment.

Adopted this seventeenth day of March 1975.

ROBERT C. SISE,
President.

REVISION OF THE HATCH ACT

HON. LEO C. ZEFERETTI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1975

Mr. ZEFERETTI. Mr. Speaker, the Federal Political Rights Act of 1975, H.R. 3000, which I have joined in cosponsoring would amend the Hatch Act by restoring to Federal civilian and Postal Service employees their right to participate in the political life of our Nation. Because of Hatch Act limitation, these citizens, numbering close to 3 million, are presently excluded from active participation of this kind. It is also important to point out that H.R. 3000, if enacted, would continue to protect these Federal employees from improper political influence and coercion.

The Hatch Act was passed in 1939 and was, at the time, a necessary and constructive piece of legislation. Since then, however, not much has been done to update its provisions in order to make it consistent with the new realities of this age. In many ways, the Hatch Act is vague. As a result, the overwhelming majority of Federal employees deliberately removes itself from any political activism so as not to take a chance of violating the law. Regrettably, this has now reached the point where this tendency among employees is doing more harm than good, for the syndrome I have described tends to infringe upon the right of freedom of speech of such Federal workers. As a result, we have a large mass of otherwise eligible people who are being systematically excluded from all meaningful political participation.

Regrettably, the Hatch Act did little to protect Federal employees from certain inroads and abuses of the political system. For example, the merit system abuses have proliferated in recent years, making this mass of workers politically responsive to a given political party. It also did not prevent unscrupulous political people of both parties from preying upon them.

As a result, Federal employees have grown exceedingly cynical about the political process while remaining withdrawn from it. No open society dependent upon political participation can afford such alienation and cynicism on the part of such a large, generally well-educated and economically stable group of people. It is critical for us to recognize this situation and allow them their political rights without compromising them politically. I feel that H.R. 3000, would, in fact, accomplish such a purpose.

Under this legislation, Federal civilian and Postal employees could contribute voluntarily to candidates for public office, and this would be their personal affair. They would also be able to express their views and participate in political management of campaigns as private citizens without any involvement of their official authority of influence. The bill also specifically defines the meaning of political management and campaigns, and includes certain specific activities, now forbidden, as possible areas of participation by Federal employees.

This legislation has commanded broad bipartisan support, indicating that there is widespread concern as well as a desire from all parts of the political spectrum to bring these people into the mainstream of the political process. I realize that some people oppose this, mainly because we are taking a chance. Yet, the political events of the last decade have convinced me that the Hatch Act desperately needs updating; in order to safeguard our institutions, we must open them wider to citizen involvement. The safety of our liberties is only as secure as the willingness of this generation of Americans to defend them. There are many Federal employees who could make constructive contributions by such involvement, and I feel we should welcome them rather than continue to exclude them.

REMARKS ON THE INTRODUCTION OF A BILL TO PERMIT THE AVERAGING OF OVERTIME PAYMENTS TO RURAL LETTER CARRIERS EMPLOYED BY THE U.S. POSTAL SERVICE

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1975

Mr. NIX. Mr. Speaker, one of the unintended effects of recent amendments to the Fair Labor Standards Act was the interpretation which would lead to the scrapping of a long-standing overtime pay system which was established for rural letter carriers.

Because of the variety of ways in which rural letter carriers perform their jobs, and the variety of terrain in which such work is performed, it was necessary for the Postal Service to set up a unique overtime pay system. The system was based on the averaging of overtime on a pay period basis.

However, recent administrative interpretations of the amendments to the Fair Labor Standards Act would lead to the specific hour-by-hour overtime recordkeeping required in most lines of work. This would result in chaos in rural mail delivery and endless redtape. The costs in increased paperwork would be so extravagant that any possible gain from accounting precision would be overwhelmed by redtape.

What is more, the reshuffling of the entire rural mail delivery system would be called for. The delays and confusion would be such that a whole new and expensive burden would be added to those already carried by the Postal Service.

It is my understanding that the Postal Service as well as rural letter carriers support this type of legislation.

DEREGULATION

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1975

Mr. RUPPE. Mr. Speaker, the issue of deregulation is being mentioned increasingly as one way of cutting down on Government spending and excessive interference in our daily lives. Recently, however, the Escanaba Daily Press, in Escanaba, Mich., carried an interesting editorial on the issue of deregulation as it could affect a rural area. I am concerned that deregulation could have an adverse effect in areas such as northern Michigan, and I believe this article will be of interest to my colleagues:

DEREGUATION?

To regulate or not to regulate, that is the question.

That phrase "regulation" is not necessarily the most popular one in the American vocabulary today. There is increasing weariness with laws that restrict and rules that prevent, and most Americans tend to chafe at bureaucratic decisions that stifle their initiative and curb their freedoms.

At the same time our increasingly complex society requires that methods be devised and utilized to protect the public in areas that are beyond individual control or influence. Thus it is the Public Service Commission regulates our utilities and attempts to ensure that there will continue to be natural gas, electricity and telephone service at justifiable costs in the future; the Federal Aviation Authority regulates airline routes and rates; the Federal Communications Commission supervises our airwaves; the Army protects us from invasion.

And thus it is that the Interstate Commerce Commission regulates, to a large degree, our public transportation system consisting mostly of the railroads and motor freight carriers.

It has done this since 1887, when it was created largely because farmers in the West had experienced discrimination and unjust pricing by the railroads that fostered development in one favored area or favored certain shippers and froze other competitors and areas out of the marketplace. The Motor Carrier Act of 1935 brought truck lines under the ICC umbrella, and for the first time their routes and rates were regulated.

In a January, 1975 report, the ICC contended that their controls on entry into the field of motor carrier transportation "have been an essential ingredient in the growth and success of our national transportation system. We emphasize again that entry control does not mean creating or maintaining monopolies. Instead, entry control means competition—but not so much of it that no one can profit or grow. Admittedly, the maintenance and acquisition of new facilities and equipment increases carriers' operating

latory programs and the National Advisory Board on Land Use Policy will review all grant applications and the Secretary must consider their views and recommendations.

Prior to approval, the Secretary must ascertain that EPA and HUD are satisfied that the land use program is in compliance with Federal laws pertaining to them.

(2) Disapproval:

Upon finding a State ineligible, Secretary will notify President who will establish an ad hoc hearing board consisting of a Governor, an impartial Federal official and a knowledgeable private citizen who is selected by the other two. Upon finding a state ineligible the ad-hoc hearing board will notify the Secretary and funds will be withdrawn.

D. Formulation of guidelines: President will issue guideline to all Federal agencies and States to assist in implementation of the Act. Secretary will publicly declare rules and regulations to implement the guidelines and to administer the Act.

E. Information and Data Systems: Office of Land Use Policy Administration will develop and maintain a Federal Land Use Information and Data Center with appropriate regional branches.

Office will perform a continuing study of land resources, develop standard methods for collection of data, establish procedures for effective dissemination of information, track Federal and private projects, and maintain statistical data on past and future trends in land use.

F. Other: Ad Hoc or Federal-State Joint Committees: At request of Governor or at his own discretion, Secretary may establish a joint committee consisting of Federal agency and State and local representatives to review and recommend solutions to problems relating to jurisdictional conflicts and inconsistencies.

Prior to making its recommendations, each joint committee must conduct a public hearing in the State affected. Each joint committee terminates at the end of two years.

Biennial Report on Federal State coordination: Secretary must prepare a report every two years which concerns problems of coordination between Federal and non-Federal planning, resolution of specific conflicts encountered, any unresolved problems suggested by a Governor.

Biennial Report: Secretary, with the assistance of the Advisory Board, must report every two years on the land resources, uses of land, and current and emerging land use problems.

Four Year Review: At the end of fourth FY, Secretary must submit assessment of programs and recommend amendments to Congress.

G. Authorization for Administration: Department of Interior is authorized $10 million annually for administration of the Act.

II. REGIONAL AUTHORITY

Prior consent is given to States to negotiate interstate agreements and create interstate planning entities.

The Advisory Commission on Intergovernmental Relations is mandated to conduct a review of interstate agencies and report to Congress the results of its findings in two years.

III. GRANTS TO STATES

A. Programs: No funding distinction is made between planning processes and State land and State land use programs, but compliance with the requirements for processes and programs enter in during different time stages for the granting procedure.

B. Percentage of Costs: Annual grants may be made at the rate of 66⅔% of the cost of the program for the first two years, and at the rate of 50% of the cost for the succeeding three years. Secretary will allocate funds to the State on the basis of the amount of resource base, population, growth pressure and financial need.

C. Authorization: $40 million are authorized for the first two years, and $30 million for the next three years.

IV. STATE AUTHORITY AND STATE LAND USE PLAN OR PROGRAM

A. Scope of Land Use Planning or Program: State is required to have a statewide land use planning process and land use program by the end of the five-year period.

B. Technique of State Control: A State land use program may employ either of two methods of control: 1) implementation by local governments pursuant to State standards, along with State veto power, and 2) direct State land use planning and regulation, i.e. zoning.

State must employ its police power to prohibit inconsistent use of areas of critical environmental concern, land impacted by key facilities, regional projects, and large-scale developments.

C. Criteria for Review and Continued Funding:

(1) Content of Plan or Program:

Statewide land use planning process must include: (a) inventory of land and natural resources, (b) compilation of socio-economic and environmental data (c) projection of land needs for various uses, (d) inventory of physical data, (e) inventory of non-Federal needs and priorities concerning use of Federal lands, (f) inventory of financial resources for land use planning, (g) method for identifying large scale developments and regional projects, (h) inventory of critical environmental areas and potential areas of key facilities, (i) technical assistance and training of personnel, (j) methods of data exchange, (k) coordination of State and local programs, (l) mechanisms for public participation in planning process, and (m) interstate coordination.

State land use programs must include: (a) adequate statewide planning process, (b) protection of critical environmental areas, (c) consistency of key facility siting with land use program, (d) consistency of large scale subdivision with land use program, (e) provisions for assuring compliance with pollution standards, (f) periodic update of land use programs, (g) public participation in planning process and public dissemination of information, and (h) coordinated management of coastal zones.

(2) Administration and Performance:

State must have a land use planning agency. Planning agency must have an advisory council composed of chief elected officials of local governments.

State must provide an administrative appeals procedure for resolving conflicts. A person having a legal interest in land affected by State prohibitions or restrictions may petition the appropriate court to determine whether there has been a taking which would justify compensation.

V. COORDINATION OF FEDERAL ACTIVITIES WITH STATE PLAN

A. Compliance with State Land Use Program:

Bill distinguishes between: (1) Federal projects and activities and (2) development on Federal lands.

Federal Projects and Activities: Projects which significantly affect land use must be consistent with State land use programs except in cases of overriding national interest determined by the President. *A State or local government applying for Federal assistance for projects in States eligible for land use grants must transmit views of planning agencies concerning compliance with land use program to the Federal funding agency. Federal funding agency may not fund projects inconsistent with State land use program.

Federal lands: Agencies responsible for management of Federal lands must consider State land use programs in planning and managing public lands, to the extent consistent with national policies and objectives. Any agency proposing a new program, policy or regulation for Federal lands must publish a statement showing consistencies with State land use program and explaining any inconsistencies which exist. Draft and final statements must be submitted 45 and 50 days prior to action, respectively, and a public hearing must be conducted.

B. Sanctions: None.

Following an attempt to add one amendment to the bill, to add a section containing federal sanctions against the states which failed to comply with the federal program by withholding a percentage of remaining federal funds the states would otherwise be entitled to (by a vote of 6 yeas, 26 nays) the full report was adopted by the Council by a vote of 32–6.

CHAMPAIGN AND LOGAN COUNTIES COMMITTEE MEMBERS

Mechanicsburg High School—Pat Enciso, 3972 Parkview Rd., Mechanicsburg 43044.

Triad High School—Mark Kerns, R.R. #1, North Lewisburg 43060.

Graham High School—Mark Alty, 3922 Rt. 55, Urbana 43078.

Indian Lake High School—Diane Brunner, R. R. #1, Huntsville 43324.

Benjamin Logan High School—Ernie Holycross, Box 263, Belle Center 43310.

Urbana High School—Megan Richards, Bon Air Rd., Urbana 43078.

Riverside High School—Tim Lundy, 201 N. Boggs St., DeGraff 43318.

Bellefontaine High School—Robert Barnwell, Jr., 1200 Milligan, Bellefontaine 43311.

West Liberty High School—Matt Price, 4030 Dowd's Dr., Urbana 43078.

A RESOLUTION PASSED BY THOMASVILLE, GA., CHAMBER OF COMMERCE

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1975

Mr. MATHIS. Mr. Speaker, no one is more deeply concerned with this country's continued policy of raising our debt limitation to compensate for higher deficit spending than I am. I introduced House Joint Resolution 251 in February which would prohibit the Federal Government from spending any funds in a fiscal year which are in excess of the revenues collected the previous year. I want to share with my colleagues a resolution passed by the Chamber of Commerce in Thomasville, Ga., which supports this concept.

The resolution follows:

RESOLUTION

Whereas there is currently a need in these United States to find a practical method for the Administration and Congress to stop spending more money than we take in by taxation, except in case of a declared national emergency, and,

Whereas the State of Georgia has solved this problem by enacting a law which makes it mandatory for the Governor to balance spending by cutting on a percentage basis all departmental budgets evenly across the board to balance income created by taxes, and

Whereas S.J. Resolution 27 introduced into the 93rd Congress essentially proposes an amendment to the Constitution of the United States prohibiting aggregate expenditures of the Federal Government to exceed the net amount of its revenue in any fiscal year,